



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

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Memorandum

Date: February 15, 2022

To: Richard Conescu, Chair, & Members, Zoning Board of Adjustment

From: Timothy J. Thompson, AICP, Community Development Director

Subject: **Home Health and Hospice Care (petitioner/owner)** – Variance under Section 2.02.1.A of the Zoning Ordinance to permit the expansion of an existing hospice facility in the R-4 (Residential) District where not permitted. The parcel is located at 210 Naticook Road in the R-4 (Residential) & Aquifer Conservation Districts. Tax Map 2B, Lot 324 02-1. Case # ZBA 2022-02.

The following information is provided to aid in your consideration of the above referenced case. Additional background and application materials are included in your packet.

Background

The subject property is a 4.26 acre lot located at 210 Naticook Road. The property lies within the R-4 (Residential) and Aquifer Conservation Districts. The property is bounded by residential properties to the north, east & west, and Continental Blvd. to the south.

The subject parcel currently contains Home Health and Hospice Care's Community Hospice House. Home Health & Hospice Care has been a provider of home care and hospice services since 1983. They serve 25 communities in southern New Hampshire, providing traditional home care, including nursing, rehabilitation, therapies, medical social work, licensed nursing assistants, as well as homemakers and companions. Their Hospice team cares for patients in their homes, in nursing facilities, and in the Community Hospice House on the subject parcel.

The Hospice House use was approved by the Zoning Board through a variance received in 1999, and was classified by the ZBA as a "single family home for 10 unrelated persons" and received site plan approval on December 20, 1999.

The petitioner seeks to expand the facility with 2 additions for 6 additional patient suites and additional support services. Staff determined that rather than trying to shoehorn a new variance into the limitations from the 1999 case (relating to the definition of family and single family home), it made more sense for the variance to be for allowing the hospice use in the R District, and allowing the Planning Board to deal with more specific site related issues (if the variance is approved).

Standard of Review

It is the burden of the petitioner to demonstrate that the five criteria for the granting of the variance under Section 2.02.1.A of the Zoning Ordinance to permit the expansion of an existing hospice facility in the R-4 (Residential) District where such use is not permitted, are met.

Should the Board find that the petition meets the variance criteria; staff recommends that any approval be conditioned upon the following:

- 1) The petitioner shall obtain site plan approval from the Planning Board for the expansion of the use;

Ec: Home Health and Hospice Care, petitioner/owner
Jason Hill, TF Moran
Building Department Staff
John Manuele, Fire Marshal
Cc: Zoning Board File